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# Jay, the Minister and the Big Man

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SAN FRANCISCO—Southern California lawyer William Dougherty says it began for him two years ago with a morning telephone call at home, a quick conversation with a man who said he was in trouble but refused to identify himself, and a hastily arranged meeting in the back corner of a Santa Ana bar called The Fling.

The man wore dark glasses and drank a Bloody Mary as they talked. "He never identified himself as anything but 'Jay,'" Dougherty said last week. "He seemed very, very wary . . . , told me how he went to the airport and they whisked him through customs, gave him a passport, and all that stuff. He told me

about the man he described as The Minister, how they took him out to a *dacha*, they told him what they wanted, he went back and got it, and they gave him \$10,000."

According to interviews with Dougherty and a lengthy affidavit on file in U.S. District Court in San Francisco, "Jay" told Dougherty that he was an international spy, supplying details about stolen documents and clandestine meetings in Mexico and Vienna. He talked about The Big Man, an American businessman he said had introduced him to his east-

ern contacts, and The Minister, a Polish intelligence officer who presented "Jay" with a list of secret documents and information desired by the Poles.

What "Jay" wanted now, Dougherty said he told him, was protection. He wanted immunity from prosecution, and in return he would tell all that he knew and would become a double agent for the United States. He wanted, as Dougherty put it, to "come in out of the cold."

Thus began the drawn-out climax of a transatlantic spy story that began unfolding publicly when James Durward Harper Jr., the man

Dougherty says he knew as Jay, was arrested eight days ago on suspicion of selling national defense secrets to a foreign government.

Harper, a balding and slightly dumpy man blinking behind his glasses at the magistrate, was arraigned last Monday. On Nov. 10 he is to be officially charged with espionage in the sale of what a U.S. Army official called "extremely sensitive" documents describing Defense Department efforts to enable the Minuteman missile and other American nuclear weapons to survive a preemptive Soviet attack.

FBI agents took Harper into custody, reportedly without incident, in his apartment in Mountain View, one of the bedroom communities for the high-technology industry south of San Francisco. The apartment is part of a boxy stucco complex graced by a lone ailing geranium and a small concrete courtyard surrounding a miniature Venus de Milo statue.

The apartment has become, in its beaten-looking ordinariness, a small backdrop to the improbable cast that was introduced publicly for the first time last week in the 33-page FBI affidavit that accompanied the complaint against Harper.

There was a sad and generous blond secretary from Alabama, who drank vodka alone behind the closed door of her office and looked when she died of cirrhosis as though death had taken her weeks earlier. She was named as a source for many of the stolen documents.

There was a vigorous little businessman, charming and quick but thought by some to be faintly slippery in his dealings, who loved international travel. He was named as the contact who introduced Harper to the Poles.

There was the Polish intelligence officer, working as a member of the Polish Ministry of Machine Industry, who was named as having met Harper in bars and apartments and traded his documents for stacks of \$100 bills.

There was a high-ranking source of information to U.S. intelligence, referred to only in the FBI affidavit as "the SOURCE."

And looming in the background, with its massive stores of information and its sudden eruptions of wealth for the occasional lucky entrepreneur, was the microchip and

high-technology center known as Silicon Valley. It had drawn Harper, as surely as it had drawn the Alabama secretary and the charming businessman, with its promise of furious growth in an industry said to cater to the gifted, the creative, and the lover of risk.

When he was arrested, Harper was working as a consultant to a San Jose company that paid him \$1,000 a week to design power supplies for personal computers. But for 20 years before that Harper had developed a reputation in Silicon Valley as a brilliant, erratic engineer with few real friends and two failed businesses behind him.

He grew up in north-central California, a first-string high school football halfback, a basketball player, naturally quick at math and science. He is reported to have enlisted in the Marines, where he was sent to electronics school, and later to have worked at a radar station in Alaska.

By the early 1960s, married to a woman he had known in school, Harper had settled in Silicon Valley and was forming a business called Harper Magnetics. He "had built a reputation of being absolutely brilliant in the field of high-voltage power supplies and transformers," a former business associate told an interviewer last week.

But Harper Magnetics folded soon after it started. Harper then worked for several different companies in the area, and in 1973 tried his own business again, this time with Harper Time and Electronics, which manufactured what has been called the world's first digital stopwatch.

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